

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GPNE Corp.,)	Case No.: 12-CV-3057-LHK
)	
Plaintiff,)	
)	ORDER RE: NOTICE OF
v.)	SETTLEMENT AND CASE SCHEDULE
)	
Pantech Co., Ltd., and Pantech Wireless Inc.)	
)	
Defendants.)	
)	
)	

The parties have filed a Notice of Settlement and Joint Stipulation to Stay Case. *See* ECF No. 124. The parties seek an order from this Court that would either stay the case or that would substantially continue expert discovery in order to avoid incurring unnecessary costs in light of the likely settlement.

The Court had initially set a deadline of December 21, 2013, for opening expert reports; January 21, 2014, for rebuttal reports; and February 21, 2014, for the close of expert discovery. The deadline to file dispositive motions is February 27, 2014, with a hearing on April 3, 2014. Pursuant to a stipulation of the parties due to an agreement in principle to settle the case, the Court continued the expert discovery deadlines to December 30, 2013, for opening expert reports; January 31, 2014, for rebuttal reports; and March 3, 2014, for close of expert discovery. *See* ECF No. 123. The parties assured the Court at the time of the stipulation that the modification would “not alter the date of any other event or any deadline already fixed by Court order” other than the

expert-discovery deadlines.

The Court will not stay the case pending finalization of the settlement. This case is progressing on the same schedule as two related cases. The Court finds that altering the case schedule for one of the three cases would lead to inefficient allocation of judicial resources. The Court will, however, entertain a continuance of expert discovery deadlines. The February 27, 2014, deadline to file dispositive motions shall remain as set. The Court will not continue this deadline, because the Court has previously encouraged all three remaining sets of Defendants to file a single dispositive motion. Further, the Court will hold only one hearing on dispositive motions, which is set for April 3, 2014.

If the parties want to continue the expert discovery deadlines, they must file a stipulation so indicating by December 24, 2013. Any such stipulation shall contain proposed deadlines for opening expert reports, rebuttal reports, and close of expert discovery. (The current stipulation only contains a new deadline for opening reports). Further, any such stipulation shall acknowledge that the February 27, 2014, deadline for filing of dispositive motions and the April 3, 2014, hearing date on such motions will not be affected by the continuance of expert-discovery deadlines.

The Court appreciates the parties' efforts to resolve the case. The Court will promptly vacate all deadlines once the parties file a stipulation of dismissal. Without a dismissal, however, limited judicial resources are most efficiently expended by ensuring that all three related cases continue to progress on the same timeline.

IT IS SO ORDERED.

Dated: December 22, 2013



LUCY H. KOH
United States District Judge